IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25112 of 2008
GOBIND YADAV sib if Bhikhari Yadav, resident of village-Lahthara, P.S.-Sono, Dist.-Jamui
Versus
STATE OF BIHAR
with
Cr.Misc. No.38753 of 2008
1.ARJUN YADAV son of late Banshi Yadav
2.Masudan Yadav son of late Banshi Yadav,
Both resident of village-Belatar, P.S.-Sono, Dist.-Jamui
3.Ganesh Yadav son of late Fulo Yadav, resident of village garhee, P.S.-Jhajha, Dist.-Jamui.
Versus
STATE OF BIHAR
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3. 4.12.2008. Both the bail petitions have been heard together and are being disposed of by this common order because they have arisen out of one occurrence registered under sections 302, 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

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The informant's son and brother-in-law had gone to the court for securing bail of Kishori Yadav, son of the informant. When son of the informant did not return then suspicion was raised because earlier two dead bodies were found. The informant rushed and found that the dead bodies were of his son and brother-in-law.

Submission is that in course of investigation only one witness has come to say that he had seen the occurrence. He stated that he escaped because it was dark night. There is no explanation as to under what circumstance he saw the occurrence as it was a dark night. The informant is not an eye witness.

Considering the facts and circumstances of the case the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like

amount each to the satisfaction of C.J.M, Jamui in connection with Sono P.S.Case No.102 of 2007, G.R. No.1145 of 2007.

Md.S. **(Shyam Kishore Sharma,J.)**

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